
SUBSTITUTE SENATE BILL 5909

State of Washington

60th Legislature

2007 Regular Session

By Senate Committee on Human Services & Corrections (originally sponsored by Senators Rasmussen, Roach, Regala, Eide, McAuliffe, Kilmer, Hargrove, Kastama, Tom, Shin, Kohl-Welles, Stevens, Carrell, Franklin and Kline)

READ FIRST TIME 02/26/07.

1 AN ACT Relating to supporting the needs of children who have been
2 in foster care; amending RCW 43.31.465; reenacting and amending RCW
3 74.13.031; adding a new section to chapter 70.190 RCW; and adding a new
4 section to chapter 74.13 RCW.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 70.190 RCW
7 to read as follows:

8 In connection with its duties pursuant to RCW 70.190.110, the
9 council shall review programs that provide services to adolescent
10 foster children, and to youth who have reached the age of eighteen and
11 are no longer required to live in the care of foster parents.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.13 RCW
13 to read as follows:

14 (1) After the family policy council has completed its review of
15 programs that provide services to adolescent foster children and to
16 youth who have reached the age of eighteen and are no longer required
17 to live in the care of foster parents, pursuant to section 1 of this
18 act, the department shall create a pilot program to establish a foster

1 youth community coordinator in three regional office locations within
2 the state. The purpose of the pilot program is to provide assistance
3 to foster youth who are reaching eighteen years of age to facilitate
4 their ability to live independently upon leaving state care.

5 (2) The program shall include two sites selected by the department
6 not later than September 1, 2007.

7 (3) The responsibilities of the foster youth community coordinator
8 include the following:

9 (a) To facilitate collaboration among organizations providing
10 services to foster youth who are reaching their eighteenth birthday and
11 leaving foster care, as well as collaboration between the department
12 and these organizations;

13 (b) To facilitate training of those providing services to youth who
14 are preparing to leave foster care regarding the following:

15 (i) The educational needs of foster youth, particularly
16 interventions for older youth;

17 (ii) The foster care system;

18 (iii) The educational rights of children;

19 (iv) The role of education in the development and adjustment of
20 children;

21 (v) Improving the education outcomes of youth in foster care;

22 (vi) Building communities that support the needs of youth in out-
23 of-home care; and

24 (vii) Education support for foster youth in transition; and

25 (c) Improving communication to foster youth regarding the services
26 and programs available to them as they prepare to leave foster care and
27 live independently.

28 (4) The program shall include measurable objectives for the purpose
29 of evaluation.

30 (5) The department shall evaluate the program to determine whether
31 the objectives of the program have been met and shall inform the
32 legislature not later than January 1, 2009, of the results of the pilot
33 program.

34 **Sec. 3.** RCW 43.31.465 and 2005 c 402 s 5 are each amended to read
35 as follows:

36 (1) A foster youth individual development account program is hereby
37 established within the individual development account program

1 established pursuant to RCW 43.31.460 for the purpose of facilitating
2 the creation by the department and by sponsoring organizations of
3 individual development accounts for foster youth.

4 (2) The department shall select sponsoring organizations to
5 establish and monitor individual development accounts for foster youth
6 from those entities with whom the department of social and health
7 services contracts for independent living services for youth who are or
8 have been dependents of the department of social and health services.

9 (3) ~~((An))~~ Within funding provided, the department shall establish
10 an individual development account for each child who has been in an
11 out-of-home placement under chapter 13.34 RCW for a period of six or
12 more months. Beginning July 1, 2007, the department shall deposit not
13 less than three hundred dollars to the individual development account
14 of each child who was in an out-of-home placement for six or more
15 months during the previous fiscal year.

16 (4) The department shall continue making annual contributions of
17 not less than one hundred dollars to be deposited at the beginning of
18 each fiscal year to the individual development accounts of children for
19 whom an account was established pursuant to subsection (3) of this
20 section.

21 (5) Foster parents and other interested parties may contribute
22 funds to the individual development account that has been established
23 for a particular child.

24 (6) Individual development accounts ~~((may be))~~ established by or on
25 behalf of a foster youth are intended to enable the individual to
26 accumulate funds for the following purposes:

- 27 (a) The acquisition of postsecondary education or job training;
- 28 (b) Housing needs, including rent, security deposit, and utilities
29 costs;
- 30 (c) The purchase of a computer if necessary for postsecondary
31 education or job training;
- 32 (d) The purchase of a car if necessary for employment; and
- 33 (e) Payment of health insurance premiums.

34 ~~((+4))~~ (7) A foster youth participating in the program ~~((must))~~
35 may contribute to an individual development account. The contributions
36 may be derived from earned income or other income, as provided by the
37 department. Other income shall include financial incentives for
38 educational achievement provided by entities contracted with the

1 department of social and health services for independent living
2 services for youth who are or have been dependents of the department of
3 social and health services.

4 (8) A foster child or former foster child may draw on the funds
5 that have accumulated in his or her individual development account
6 after he or she reaches the age of eighteen.

7 **Sec. 4.** RCW 74.13.031 and 2006 c 266 s 1 and 2006 c 221 s 3 are
8 each reenacted and amended to read as follows:

9 The department shall have the duty to provide child welfare
10 services and shall:

11 (1) Develop, administer, supervise, and monitor a coordinated and
12 comprehensive plan that establishes, aids, and strengthens services for
13 the protection and care of runaway, dependent, or neglected children.

14 (2) Within available resources, recruit an adequate number of
15 prospective adoptive and foster homes, both regular and specialized,
16 i.e. homes for children of ethnic minority, including Indian homes for
17 Indian children, sibling groups, handicapped and emotionally disturbed,
18 teens, pregnant and parenting teens, and annually report to the
19 governor and the legislature concerning the department's success in:
20 (a) Meeting the need for adoptive and foster home placements; (b)
21 reducing the foster parent turnover rate; (c) completing home studies
22 for legally free children; and (d) implementing and operating the
23 passport program required by RCW 74.13.285. The report shall include
24 a section entitled "Foster Home Turn-Over, Causes and Recommendations."

25 (3) Investigate complaints of any recent act or failure to act on
26 the part of a parent or caretaker that results in death, serious
27 physical or emotional harm, or sexual abuse or exploitation, or that
28 presents an imminent risk of serious harm, and on the basis of the
29 findings of such investigation, offer child welfare services in
30 relation to the problem to such parents, legal custodians, or persons
31 serving in loco parentis, and/or bring the situation to the attention
32 of an appropriate court, or another community agency: PROVIDED, That
33 an investigation is not required of nonaccidental injuries which are
34 clearly not the result of a lack of care or supervision by the child's
35 parents, legal custodians, or persons serving in loco parentis. If the
36 investigation reveals that a crime against a child may have been

1 committed, the department shall notify the appropriate law enforcement
2 agency.

3 (4) Offer, on a voluntary basis, family reconciliation services to
4 families who are in conflict.

5 (5) Monitor out-of-home placements, on a timely and routine basis,
6 to assure the safety, well-being, and quality of care being provided is
7 within the scope of the intent of the legislature as defined in RCW
8 74.13.010 and 74.15.010, and annually submit a report measuring the
9 extent to which the department achieved the specified goals to the
10 governor and the legislature.

11 (6) Have authority to accept custody of children from parents and
12 to accept custody of children from juvenile courts, where authorized to
13 do so under law, to provide child welfare services including placement
14 for adoption, to provide for the routine and necessary medical, dental,
15 and mental health care, or necessary emergency care of the children,
16 and to provide for the physical care of such children and make payment
17 of maintenance costs if needed. Except where required by Public Law
18 95-608 (25 U.S.C. Sec. 1915), no private adoption agency which receives
19 children for adoption from the department shall discriminate on the
20 basis of race, creed, or color when considering applications in their
21 placement for adoption.

22 (7) Have authority to provide temporary shelter to children who
23 have run away from home and who are admitted to crisis residential
24 centers.

25 (8) Have authority to purchase care for children; and shall follow
26 in general the policy of using properly approved private agency
27 services for the actual care and supervision of such children insofar
28 as they are available, paying for care of such children as are accepted
29 by the department as eligible for support at reasonable rates
30 established by the department.

31 (9) Establish a children's services advisory committee which shall
32 assist the secretary in the development of a partnership plan for
33 utilizing resources of the public and private sectors, and advise on
34 all matters pertaining to child welfare, licensing of child care
35 agencies, adoption, and services related thereto. At least one member
36 shall represent the adoption community.

37 (10)(a) Have authority to provide continued foster care or group

1 care as needed to participate in or complete a high school or
2 vocational school program.

3 (b)(i) Beginning in 2006, the department has the authority to allow
4 up to fifty youth reaching age eighteen to continue in foster care or
5 group care as needed to participate in or complete a posthigh school
6 academic or vocational program, and to receive necessary support and
7 transition services.

8 (ii) In 2007 and 2008, the department has the authority to allow up
9 to fifty additional youth per year reaching age eighteen to remain in
10 foster care or group care as provided in (b)(i) of this subsection.

11 (iii) A youth who remains eligible for such placement and services
12 pursuant to department rules may continue in foster care or group care
13 until the youth reaches his or her twenty-first birthday. Eligibility
14 requirements shall include active enrollment in a posthigh school
15 academic or vocational program and maintenance of a 2.0 grade point
16 average.

17 (11) Refer cases to the division of child support whenever state or
18 federal funds are expended for the care and maintenance of a child,
19 including a child with a developmental disability who is placed as a
20 result of an action under chapter 13.34 RCW, unless the department
21 finds that there is good cause not to pursue collection of child
22 support against the parent or parents of the child. Cases involving
23 individuals age eighteen through twenty shall not be referred to the
24 division of child support unless required by federal law.

25 (12) Have authority within funds appropriated for foster care
26 services to purchase care for Indian children who are in the custody of
27 a federally recognized Indian tribe or tribally licensed child-placing
28 agency pursuant to parental consent, tribal court order, or state
29 juvenile court order; and the purchase of such care shall be subject to
30 the same eligibility standards and rates of support applicable to other
31 children for whom the department purchases care.

32 Notwithstanding any other provision of RCW 13.32A.170 through
33 13.32A.200 and 74.13.032 through 74.13.036, or of this section all
34 services to be provided by the department of social and health services
35 under subsections (4), (6), and (7) of this section, subject to the
36 limitations of these subsections, may be provided by any program
37 offering such services funded pursuant to Titles II and III of the
38 federal juvenile justice and delinquency prevention act of 1974.

1 (13) Within amounts appropriated for this specific purpose, provide
2 preventive services to families with children that prevent or shorten
3 the duration of an out-of-home placement.

4 (14) Have authority to provide independent living services to
5 youths, including individuals who have attained eighteen years of age,
6 and have not attained twenty-one years of age who are or have been in
7 foster care.

8 (15) Youth under the age of twenty-one years may enter into a
9 voluntary placement agreement with the department to return to foster
10 care for a period of up to six months following the youth's eighteenth
11 birthday for the purpose of receiving independent living skills while
12 residing in a foster care placement, including a transitional living
13 placement.

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